

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire
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Attorneys for Secured Creditor
HSBC Bank USA, National Association as trustee on
behalf of the holders of the OPTEMAC Asset- Backed
Pass-Through Certificates, Series 2006-2

In Re:

Lev Bakshiyev,

Debtor.



Order Filed on August 25, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 22-12045 MBK

Adv. No.:

Hearing Date: 8/10/2022 @ 9:00 a.m.

Judge: Michael B. Kaplan

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: August 25, 2022

A handwritten signature in black ink, reading "Michael B. Kaplan".

Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Lev Bakshiyev

Case No: 22-12045 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, HSBC Bank USA, National Association as trustee on behalf of the holders of the OPTEMAC Asset- Backed Pass-Through Certificates, Series 2006-2, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 103 Diamond Lane, Township of Old Bridge, N.J. 08857, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Bruce H. Levitt, Esquire, attorney for Debtors, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of August 16, 2022, Debtor is in arrears outside of the Chapter 13 Plan to Secured Creditor for payments due June 2022 through August 2022 for a total post-petition default of \$7,510.75 (3 @ \$3,182.15, less suspense \$2,035.70); and

It is **ORDERED, ADJUDGED and DECREED** that the debtor will file a modified plan within twenty days of the entry of this order; and

It is further **ORDERED, ADJUDGED and DECREED** that the balance of the arrears in the amount of \$7,510.75 shall be added to the affidavit of amount due and paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that loss mitigation payments are to begin September 1, 2022, directly to Secured Creditor's servicer, MidFirst Bank, 999 NorthWest Grand Boulevard, Oklahoma City, OK 73118 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtors' Chapter 13 bankruptcy proceeding, if any of the cure payments, regular monthly mortgage payments or loss mitigation payments are not made within thirty (30) days of the date said payment is due, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtors, and Debtors' counsel at the time of submission to the Court; and

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Debtor: Lev Bakshiyev

Case No: 22-12045 MBK

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR
RELIEF FROM STAY

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$188.00 for filing fees, totaling \$538.00, which is to be paid through Debtors' Chapter 13 plan; and

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor's Motion for Relief is hereby resolved.

In re:
Lev Bakshiyev
Debtor

Case No. 22-12045-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Aug 25, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 27, 2022:

Recip ID	Recipient Name and Address
db	+ Lev Bakshiyev, 103 Diamond Lane, Old Bridge, NJ 08857-3321

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 27, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 25, 2022 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Bruce H Levitt	on behalf of Debtor Lev Bakshiyev blevitt@levittslafkes.com sslafkes@levittslafkes.com;lspcattorneys@gmail.com;hbr69524@notify.bestcase.com;lsbankruptcyntices@gmail.com
Denise E. Carlon	on behalf of Loss Mitigation HSBC Bank USA National Association as trustee on behalf of the holders of the OPTEMAC Asset-Backed Pass-Through Certificates, Series 2006-2 dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Denise E. Carlon	on behalf of Creditor Midland Mortgage dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Joel R. Glucksman	on behalf of Creditor Old Bridge Municipal Utilities Authority jglucksman@sh-law.com rjoyce@sh-law.com

District/off: 0312-3

User: admin

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Date Rcvd: Aug 25, 2022

Form ID: pdf903

Total Noticed: 1

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6